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BOARD OF SELECTMEN

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November 13, 2018

Before the
Federal Communications Commission
Washington, D.C. 20554

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In the Matter of)
Implementation of Section 621(a)(1) of the Cable)
MB Docket No 05-311 Communications Policy Act of 1984 as Amended)
by the Cable Television Consumer Protection and)
Competition Act of 1992)

COMMENTS OF AREA 58 Community Access Media

AREA 58 Community Access Media appreciates the opportunity to file comments on the Second Further Notice and Proposed Rule-making ("FNPRM") in the above-referenced docket. AREA 58 Community Access Media, a recognized 501.c.3, is a regional media center located in Carver, MA. The Center covers the towns of Halifax, Plympton, and Carver, with 5 total channels. As a PEG center, we produce Government, Education and Public Access Programming. As of the 2017 assessment, this covers a total of 6765 subscribers with access to Area 58 programming on Cable Television. We strongly oppose the tentative conclusion in the FNPRM that cable-related in-kind contributions, such as those that allow our programming to be viewed on the cable system, are franchise fees. While serving three unique and vibrant small communities, the impact to our budget of reduced franchise fees (resulting from a change in the long-standing agreement from the cable operator that such obligations are not franchise fees, thus allowing the cable franchises to assess costs to public access centers, using fair market value to determine the amount to be considered a franchise fee, will result in arbitrary deductions), would substantially detract from our ability to continue to provide the services to these communities; services whose scope and amount increase regularly.

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Aside from the local Government and Education programming, which include a plethora of weekly meetings from each of the towns, resulting in nearly 400 unique programs each year, all programs that would be available from no other source, we also help the citizens/members to create their own programs, and in doing so, afford them the ability and teach them the skills to allow them to bring forth their visions and ideas to the community — a service that would absolutely not be available were the Public Access Centers not in operation and properly funded to be there for the people. Programming, such as "The Ken Simmons Show," and "Topic Time with Harrison Young," are programs inform and entertain



Framingham Public Schools

Robert A. Tremblay, Ed.D., Superintendent of Schools

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Framingham, Massachusetts 01901
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November 14, 2018

Federal Communications Commission
445 12th Street SW
Washington, DC 20554

RE: Proposed Rule Making in Implementation of Section 621(a)(1) of the Cable Communications Policy Act of 1984 as Amended by the Cable Television Consumer Protection and Competition Act of 1992, MB Docket 05- 311.

Dear FCC Officials:

I am writing to express my grave concerns about any policy change that could lead to the elimination of funds for Public-Education-Government (PEG) programming and the resulting impact that those policy changes would have on the Framingham Public Schools in particular.

Through this correspondence I am requesting that Federal Communications Commission continue to support mechanisms that generate revenue through local cable franchise fees in order to sustain the outstanding partnership that has been forged between the Framingham Public Schools and Access Framingham (AFTV) and the resulting programming that this partnership affords our students.

It is worth acknowledging the programming that exists in the Framingham Public Schools as a result of our strong partnership with Access Framingham:


- Over the last four years, AFTV has had a major role in providing transparency by improving the quality of cablecasting and adding live streaming and video On-Demand to the process of two of the Cities elected governing bodies (City Council & School Committee)
- AFTV has upgraded the antiquated analog television facilities to high definition contemporary broadcasting standards. They have designed, promoted, and delivered a comprehensive, portable high definition mobile sports production system; maintain and manage the cable access television system at Framingham High School; and provide consultant services on audio system upgrades for the districts auditoriums
- AFTV provides Facebook Live transmission services to the City so that residents have another mobile platform to view meetings and ensure real-time communication with residents and community stakeholders
- AFTV operates after school and summer TV Media Clubs for the purpose of motivating middle school students to apply to the Framingham High School television program

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- augmenting what students have learned outside of the school day through continuing hands-on learning opportunities during the school day
- AFTV produces and supervises remote multi-camera LIVE productions with our TV production students, including: School Committee Meetings, School Building Committee Meetings, school sporting events, concerts, PTO elections, School Committee elections, high profile employee searches, etc.
 - We are incredibly proud that the Flyer News has been awarded a New England Emmy award for the newscast.

In consideration of the foregoing examples, we appreciate your attention to our community's expressed concern about and disapproval of the proposals and tentative conclusions set forth in the FCC's September 25 Further Notice of Proposed Rule Making in Implementation of Section 621(a)(1) of the Cable Communications Policy Act of 1984 as Amended by the Cable Television Consumer Protection and Competition Act of 1992, MB Docket 05-311.

Very truly yours,


Robert A. Tremblay
Superintendent of Schools

CC: Dr. Yvonne Spicer, Mayor, City of Framingham
Mary Ellen Kelley, Chief Financial Officer, City of Framingham
Lincoln Lynch, Executive Director of Finance & Operations
Scott Mercer, Executive Director, Access Framingham (AFTV)
Joseph M. Corazzini, Assistant Superintendent for Equity, Diversity, and Community Development
Nancy Piasecki, Executive Director - Office of the Superintendent of Schools
Dr. Tom Scott, Executive Director, Massachusetts Association of School Superintendents

by bringing local and regional talent and businesses into the public consciousness in a way that would otherwise not be available to the public. While "What's Left" and "The Don McKeag Show" tackle the political spectrum for completely opposite viewpoints, in a personal and uncompromised fashion that big media, who are beholden to their sponsors and profits simply do not have the means or desire to do. We through our channels, provide that platform. We are the last and greatest bastion for people to effectively exert their free speech and bring forth those concepts the public. We are the video soapbox of the current age. We reject the implication in the FNPRM that PEG programming is for the benefit of the local franchising authority (LFA) or a third-party PEG provider, rather than for the public or the cable consumer. As demonstrated above, Area 58 provides valuable local programming that is not otherwise available on the cable system or in other modes of video delivery such as satellite.

Yet the Commission tentatively concludes that non-capital PEG requirements should be considered franchise fees because they are, in essence, taxes imposed for the benefit of LFAs or their designated PEG providers. By contrast, the FNPRM tentatively concludes that buildout requirements are not franchise fees because they are not contributions to the franchising authority. The FNPRM then requests comment on "other requirements besides build-out obligations that are not specifically for the use or benefit of the LFA or an entity designated the LFA and therefore should not be considered contributions to an LFA." PEG programming fits squarely into the category of benefits that do not accrue to the LFA or its designated access provider, yet the Commission concludes without any discussion of the public benefits of local programming that non-capital PEG-related provisions benefit the LFA or its designee rather than the public at large.

We appreciate the opportunity to add to the record in this proceeding.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Ron Clarke", with a circular flourish at the end.

Ron Clarke
Vice-Chairman
Carver Board of Selectmen
108 Main St.
Carver, MA 02330